

REMARKS

The above amendments and the following remarks are fully and completely responsive to the Office Action dated December 2, 2004. Claims 1 and 3 are pending in this application with claims 1 and 3 amended and claims 2 and 4 canceled by the present Amendment. In the outstanding Office Action, claim 1 was rejected under 35 U.S.C. § 102(b). Claims 2-4 were indicated as containing allowable subject matter but were objected to as being dependent upon a rejected base claim. No new matter has been added. Claims 1 and 3 are presented for reconsideration.

35 U.S.C. § 102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Holman (U.S. Patent No. 5,189,703). This rejection has been rendered moot by amending claim 1 to include the limitation of claim 2 which was indicated as containing allowable subject matter. Accordingly, claim 1 should be allowable for the same reasons as claim 2 was indicated as containing allowable subject matter. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b).

Allowable Subject Matter

Claims 2-4 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The cancellation of claims 2 and 4 render this objection moot. The amendment of claim 1, from which claim 3 depends, includes the

limitation of claim 2 which was indicated as containing allowable subject matter. Accordingly, claim 3 now depends from an allowable claim. Therefore, Applicant respectfully requests reconsideration and withdrawal of the objection to claim 3.

Conclusion

Applicant's amendments and remarks have overcome the objection and rejection set forth in the Office Action dated December 2, 2004. Specifically, Applicant's amendment of claim 1 to include the limitation of claim 2 distinguishes claim 1 from Holman and thus overcomes the rejection of this claim under 35 U.S.C. § 102(b). Applicant's amendment of claim 1 to include the limitation of claim 2 and the cancellation of claims 2 and 4 overcome the objection to claim 3. Accordingly, claims 1 and 3 are in condition for allowance. Therefore, Applicant respectfully requests consideration and allowance of claims 1 and 3.

Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicant respectfully petitions for an appropriate extension of time.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 107156-00197.

Respectfully submitted,
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Enclosure: Petition for Extension of Time

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